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BEVER, HOFFMAN & HARMS, LLP 1432 CONCANNON BLVD BLDG G LIVERMORE, CA 94550-6006			JACKSON, JAKIEDA R	
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			2655	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,026

Applicant(s)

ARONS ET AL.

Examiner

Jakieda R Jackson

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-81 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1 and 7-10** are rejected under 35 U.S.C. 102(b) as being anticipated by Waibel et al. (U.S. Patent No. 5,855,000), hereinafter referenced as Waibel.

Regarding **claim 1**, Waibel discloses a method of transcription using a web-based server, the method comprising:

receiving a first request over a network (primary utterance), the first request corresponding to a request to transcribe an utterance (column 6, lines 16-30);

accessing a set of one or more tuples (m-gram context) in response to the first request (column 8, lines 1-5 with column 5, lines 1-4); and

receiving a second request, the second request corresponding to a human provided transcription of an utterance (user touching erroneous words; column 6, lines 8-15 with secondary utterances; column 6, lines 31-45 and column 8, lines 21-26).

Regarding **claim 7**, Waibel discloses a method wherein each tuple includes:

the utterance (primary utterance; column 6, lines 16-30);

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a grammar-in-use during the utterance (airline information, city information etc.; column 12, lines 25-31); and

a recognized result of a speech recognizer of the utterance (column 6, lines 4-8).

Regarding **claim 8**, Waibel discloses a method wherein the tuple is extended to include the human provided transcription of the utterance (respeaking of the located error; column 8, lines 21-26 with column 6, lines 9-15).

Regarding **claim 9**, Waibel discloses a method wherein the set of one or more tuples is aggregated from a larger set of tuples using a first selection criteria (n-list of possible choices from best to worst; column 6, lines 35-40).

Regarding **claim 10**, Waibel discloses a method wherein aggregation from a larger set of utterance tuples further uses a second selection criteria (n-list of possible choices from best to worst; column 6, lines 35-40).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. **Claims 1, 7-9 and 11-12** are *alternately* rejected under 35 U.S.C. 102(e) as being anticipated by Baker (U.S. Patent No. 6,122,613).

Regarding **claim 1**, Baker discloses a method of transcription using a web-based server, the method comprising:

receiving a first request over a network (speech sample), the first request corresponding to a request to transcribe an utterance (column 6, lines 29-35 and column 5, lines 36-41);

accessing a set of one or more tuples in response to the first request (column 8, lines 19-28); and

receiving a second request (entering corrections), the second request corresponding to a human provided transcription of an utterance (column 6, lines 7-11 with lines 44-50 and column 8, lines 1-3, column 12, lines 41-43).

Regarding **claim 7**, Baker discloses a method wherein each tuple includes:

the utterance (column 7, lines 27-31);

a grammar-in-use during the utterance (subject matter; column 7, lines 27-31);

and

a recognized result of a speech recognizer of the utterance (recognizing utterances; column 7, lines 28-41).

Regarding **claim 8**, Baker discloses a method wherein the tuple is extended to include the human provided transcription of the utterance (column 8, lines 57-65 with column 12, lines 41-43).

Regarding **claim 9**, Baker discloses a method wherein the set of one or more tuples is aggregated from a larger set of tuples using a first selection criteria (table contain many candidates; column 8, lines 43-45).

Regarding **claim 11**, Baker discloses a method wherein a first transcriptionist accesses the set of one or more tuples (column 12, lines 18-31).

Regarding **claim 12**, Baker discloses a method wherein a second transcriptionist accesses a subset of tuples aggregated from the larger set of tuples using the first selection criteria (correct decision in the first utterance), the set of one or more tuples and the subset of tuples having mutually exclusive tuples (column 12, lines 18-31).

5. **Claims 1 and 7** are *alternately* rejected under 35 U.S.C. 102(e) as being anticipated by Wightman et al. (U.S. Patent No. 6,161,087), hereinafter referenced as Wightman.

Regarding **claim 1**, Wightman discloses a method of transcription using a web-based server, the method comprising:

receiving a first request over a network, the first request corresponding to a request to transcribe an utterance (column 4, lines 43-47);

accessing a set of one or more tuples in response to the first request (known patterns of occurrences; column 5, lines 11-13); and

receiving a second request, the second request corresponding to a human provided transcription of an utterance (column 6, lines 1-6).

Regarding **claim 7**, Wightman discloses a method wherein each tuple includes:
the utterance (column 5, lines 11-19);
a grammar-in-use during the utterance (specific to certain contexts; column 5, lines 20-21); and
a recognized result of a speech recognizer of the utterance (column 6, lines 58-59).

6. **Claims 47, 55 and 66** are rejected under 35 U.S.C. 102(e) as being anticipated by Schultz et al. (U.S. Patent No. 6,360,237), hereinafter referenced as Schultz.

Regarding **claim 47**, Schultz discloses a web server system comprising:
a central processing unit (figure 1, element 22);
a memory unit (figure 1, element 26); and
a network interface for sending a message, the message enabling a display screen to display (figure 1, element 34):
a set of buttons defining audio characteristics (key functions; column 5, lines 43-44), and
an audio tool for playing an audio file (playback; column 14, lines 62-65).

Regarding **claim 55**, Schultz discloses a server system of wherein the set of buttons includes a button defining a quality of the audio characteristics (column 5, lines 43-50).

Regarding **claim 66**, Schultz discloses a server system wherein the quality is filler speech (filled pause; column 4, lines 62-66).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 2-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel in view of Filler (U.S. Publication No. 2001/0051881).

Regarding **claim 2**, Waibel discloses a method of transcription, but lacks wherein the first request is generated by a standard web browser.

Filler discloses a managing network wherein the first request is generated by a standard web browser (column 6, paragraph 0056), to load images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the first request is generated by a standard web browser, to render images accessible and manipulable (column 6, paragraph 0056).

Regarding **claim 3**, Waibel discloses a method of transcription, but lacks a method wherein the network is the Internet.

Filler discloses a managing network wherein the network is the Internet, (column 2, paragraph 0022), for various communication networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the network is the Internet, to obtain various communication networks to carry out data (column 2, paragraph 0022).

Regarding **claim 4**, Waibel discloses a method of transcription, but lacks a method wherein the network is a Virtual Private Network (VPN).

Filler discloses a managing network wherein the network is a Virtual Private Network (VPN) (column 1, paragraph 0016 and column 3, paragraph 0030), to obtain a key encryption system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the network is a Virtual Private Network (VPN), to obtain a key encryption system, which ensures security by using password access etc. (column 1, paragraph 0016 and column 11, paragraph 0123).

Regarding **claim 5**, Waibel discloses a method of transcription, but lacks a method wherein the network uses an Internet protocol.

Filler discloses a managing network wherein the network uses an Internet protocol (IP; column 2, paragraph 0022), for various communication networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the network uses an

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Internet protocol, to obtain various communication networks to carry out data (column 2, paragraph 0022 and column 12, paragraph 0126-0128).

Regarding **claim 6**, Waibel discloses a method of transcription, but lacks a method wherein the Internet protocol is Hypertext Transfer Protocol (HTTP).

Filler discloses a managing network wherein the Internet protocol is Hypertext Transfer Protocol (HTTP) (column 12, paragraph 0129), to utilize a higher layer application protocol.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the Internet protocol is Hypertext Transfer Protocol (HTTP), since many users are familiar with higher layer application protocol (column 12, paragraph 0129).

9. **Claims 11-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel in view of Baker.

Regarding **claim 11**, Waibel discloses a method of transcription, but lacks a method wherein a first transcriptionist accesses the set of one or more tuples.

Baker discloses a speech recognition method wherein a first transcriptionist accesses the set of one or more tuples (column 12, lines 18-31), to obtain the correct probability.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein a first transcriptionist

accesses the set of one or more tuples, to obtain a list of all potential candidates (column 12, lines 18-31), to reduce the error recognition rate (column 12, lines 41-43).

Regarding **claim 12**, Waibel discloses a method of transcription, but lacks a method wherein a second transcriptionist accesses a subset of tuples aggregated from the larger set of tuples using the first selection criteria, the set of one or more tuples and the subset of tuples having mutually exclusive tuples.

Baker discloses a speech recognition method wherein a second transcriptionist accesses a subset of tuples aggregated from the larger set of tuples using the first selection criteria (correct decision in the first instances set of one or more; column 12, lines 18-31), to obtain the correct probability.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein a second transcriptionist accesses a subset of tuples aggregated from the larger set of tuples using the first selection criteria, to obtain the correct probability, to reduce the error recognition rate (column 12, lines 41-43).

10. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel in view of Schultz et al. (U.S. Patent No. 6,360,237), hereinafter referenced as Schultz.

Regarding **claim 13**, Waibel discloses a method of transcription, but lacks a method wherein the transcription of the utterance includes playing an audio definition and translation and labeling text translations.

Schultz discloses a method for performing text edits wherein the transcription of the utterance includes:

playing an audio definition of the utterance (playback; column 5, lines 58-67 and column 6, lines 10-14);

defining a text translation of the utterance (word text on screen; column 5, lines 58-67);

labeling the text translation with audio attributes of the utterance (audio recording of text; column 5, lines 58-67);

labeling the text translation with characterizations of the utterance if present (column 5, lines 58-67); and

labeling the text translation with utterance anomalies if present (label start and stop times; column 4, line 60 – column 5, line 4), to edit text.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waibel's method wherein the transcription of the utterance includes playing an audio definition and translation and labeling text translations, to edit text generated and display it quickly and easily without interruption (column 5, lines 54-58).

11. **Claims 48-52 and 62** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Baker.

Regarding **claim 48**, Schultz discloses a server system, but lacks wherein the display screen further enabled to display a submit button for accepting the audio characteristics defined by the set of buttons into a data file.

Baker discloses a speech recognition system wherein the display screen further enabled to display a submit button for accepting the audio characteristics defined by the set of buttons into a data file, (word list of potential choices; column 12, lines 18-31), to further process the input speech.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the display screen further enabled to display a submit button for accepting the audio characteristics defined by the set of buttons into a data file, to further process the input speech, which reduces the recognition error rate (column 12, lines 41-43).

Regarding **claim 49**, Schultz discloses a server system, but lacks wherein the display screen further enabled to display a text entry box for entering a transcription of the audio file.

Baker discloses a speech recognition system wherein the display screen (display screen) further enabled to display a text entry box (corresponding text) for entering a transcription of the audio file (column 4, lines 55-65), to provide immediate visual feedback of dictation stream.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the display screen further enabled to display a text entry box for entering a transcription of the audio file, to provide immediate visual feedback of dictation stream, for quick and easy review of the text (column 4, line 66 – column 5, line 2).

Regarding **claim 50**, Schultz discloses a server system, but lacks wherein the display screen further enabled to display a drop-down list of possible text entries for entering into the text entry box.

Baker discloses a speech recognition system wherein the display screen further enabled to display a drop-down list (list pop ups) of possible text entries for entering into the text entry box (column 9, lines 3-10), to evaluate each of the candidates by examining the context corresponds.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the display screen further enabled to display a drop-down list of possible text entries for entering into the text entry box, to evaluate each of the candidates by examining the context corresponds (column 9, lines 3-17).

Regarding **claim 51**, Schultz discloses a server system, but lacks wherein the text entry box is pre-populated with a text entry provided by a speech recognizer.

Baker discloses a speech recognition system wherein the text entry box is pre-populated with a text entry provided by a speech recognizer, (speech recognizer; column 9, lines 3-10), to adapt/train speech models.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the text entry box is pre-populated with a text entry provided by a speech recognizer, to adapt speech models to recognize utterances, which can be used to correct errors (column 9, lines 18-37).

Regarding **claim 52**, Schultz discloses a server system, but lacks wherein the text entry box is pre-populated with a text entry from a data file associated with the audio file.

Baker discloses a speech recognition system wherein the text entry box (text displayed) is pre-populated with a text entry from a data file associated with the audio file, (speaker words correspond to text; column 4, lines 44-65), to provide immediate visual feedback of dictation stream.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the text entry box is pre-populated with a text entry from a data file associated with the audio file, to provide immediate visual feedback of dictation stream, for quick and easy review of the text (column 4, line 66 – column 5, line 2).

Regarding **claim 62**, Schultz discloses a server system, but lacks wherein the quality is a sentence fragment.

Baker discloses a speech recognition system wherein the quality is a sentence fragment (phrases, words, phonemes or other speech units; column 8, lines 19-23), to generate different sets of likely candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is a sentence fragment, to obtain different speech units, which will generate different sets of likely candidates (column 8, lines 19-35).

12. **Claims 54 and 65-67** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Wightman.

Regarding **claim 54**, Schultz discloses a server system, but lacks wherein the set of buttons includes a button defining an accent of a speaker of the audio file.

Wightman discloses a speech recognition system wherein the set of buttons includes a button defining an accent of a speaker of the audio file (column 5, lines 47-50), to have models of different content.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the set of buttons includes a button defining an accent of a speaker of the audio file, to have models of different content, which minimizes time while editing (column 4, lines 23-34).

Regarding **claim 65**, Schultz discloses a server system, but lacks wherein the quality is unintelligible speech.

Wightman discloses a speech recognition system wherein the quality is unintelligible speech (filled pause; column 4, lines 1-2), to avoid filled pauses being played back.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is unintelligible speech, to ensure that recording has all useful speech (column 4, lines 1-23).

Regarding **claim 66**, Schultz discloses a server system, but lacks wherein the quality is filler speech.

Wightman discloses a speech recognition system wherein the quality is filler speech (filled pause; column 4, lines 1-2), to avoid filled pauses being played back.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is filler speech, to ensure that recording has all useful speech (column 4, lines 1-23).

Regarding **claim 67**, Schultz discloses a server system, but lacks wherein the quality is mispronounced speech.

Wightman discloses a speech recognition system wherein the quality is mispronounced speech (poor grammar; column 4, lines 26-29), to avoid filled pauses being played back.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is mispronounced speech, to ensure that recording has all useful speech (column 4, lines 1-23).

13. **Claim 53** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Dudemaine et al. (U.S. Patent No. 6,195,634), hereinafter referenced as Dudemaine.

Regarding **claim 53**, Schultz discloses a server system, but lacks wherein the set of buttons includes a button defining a gender of a speaker of the audio file.

Dudemaine discloses manipulating audio or audiovisual data wherein the set of buttons includes a button defining a gender of a speaker of the audio file (column 8, lines 65-67, to obtain the closest matching entries.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the set of buttons includes a button defining a gender of a speaker of the audio file, to identify predetermined sounds in an unknown input audio signal (column 1, lines 7-11).

14. **Claims 56 and 58-59** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Ahmad et al. (U.S. Patent No. 6,172,675), hereinafter referenced as Ahmad.

Regarding **claim 56**, Schultz discloses a server system, but lacks wherein the quality is background noise.

Ahmad discloses manipulating audio or audiovisual data wherein the quality is background noise (column 8, lines 2-7), to avoid information that does not correspond to the part of the audio data set.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is background noise, to produce a better alignment of the text data and audio data (column 8, lines 18-21).

Regarding **claim 58**, Schultz discloses a server system, but lacks wherein the quality is audio information missing at a beginning of the audio file.

Ahmad discloses manipulating audio data wherein the quality is audio information missing at a beginning of the audio file (does not begin with sounds; column 7, line 58 – column 8, line 2), to avoid information that does not correspond to the part of the audio data set.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is audio information missing at a beginning of the audio file, to produce a better alignment of the text data and audio data (column 8, lines 18-21).

Regarding **claim 59**, Schultz discloses a server system, but lacks wherein the quality is audio information missing at an end of the audio file.

Ahmad discloses manipulating audio or audiovisual data lacks wherein the quality is audio information missing at an end of the audio file (does not end with

sounds; column 7, line 58 – column 8, line 2), to avoid information that does not correspond to the part of the audio data set.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system lacks wherein the quality is audio information missing at an end of the audio file, to produce a better alignment of the text data and audio data (column 8, lines 18-21).

15. **Claim 56** is *alternately* rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Basu et al. (U.S. Publication No. 2003/0018475), hereinafter referenced as Basu. In addition, **claims 57 and 60** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Basu.

Regarding **claim 56**, Schultz discloses a server system, but lacks wherein the quality is background noise.

Basu discloses an audio-visual speech detection system wherein the quality is background noise (column 1, paragraph 0008), to accurately detect the intended speech.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is background noise, to discriminate between extraneous audible activity, so that the intended speech is decoded (column 1, paragraph 0008).

Regarding **claim 57**, Schultz discloses a server system, but lacks wherein wherein the quality is noise within a car.

Basu discloses an audio-visual speech detection system wherein the quality is noise within a car (vehicle based speech detection; column 9, lines 0102), to accurately detect the intended speech.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is noise within a car, to discriminate between extraneous audible activity, so that the intended speech is decoded (column 1, paragraph 0008).

Regarding **claim 60**, Schultz discloses a server system, but lacks wherein the quality is side speech.

Basu discloses an audio-visual speech detection system wherein the quality is side speech (background speech; column 1, paragraph 0008 and column 9, paragraph 0102), to accurately detect the intended speech.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is side speech, to discriminate between extraneous audible activity, so that the intended speech is decoded (column 1, paragraph 0008).

16. **Claims 68-70** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Komissarchik et al. (U.S. Patent No. 6,397,185), hereinafter referenced as Komissarchik.

Regarding **claim 68**, Schultz discloses a server system, but lacks wherein the display screen further enabled to display a help tool for providing help for items displayed on the display screen.

Komissarchik discloses a tutoring system wherein the display screen further enabled to display a help tool for providing help for items displayed on the display screen, (figure 5A and column 7, lines 39-41), to obtain a detailed explanation of the curriculum.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the display screen further enabled to display a help tool for providing help for items displayed on the display screen, to provided a detailed explanation of the curriculum (column 7, lines 39-41).

Regarding **claim 69**, Schultz discloses a server system, but lacks wherein the help tool providing help for one or more of the set of buttons.

Komissarchik discloses a tutoring system wherein the help tool providing help for one or more of the set of buttons (figure 5A, element 62 and column 7, lines 39-41), to obtain a detailed explanation of the curriculum.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the help tool providing help for one or more of the set of buttons, to provided a detailed explanation of the curriculum (column 7, lines 39-41).

Regarding **claim 70**, Schultz discloses a server system, but lacks wherein the display screen further enabled to display a tutorial tool for providing training information for the server system.

Komissarchik discloses a tutoring system wherein the display screen further enabled to display a tutorial tool (column 4, lines 14-20), for providing training information for the server system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the display screen further enabled to display a tutorial tool for providing training information for the server system, to improve the system in analyzing speech (column 4, lines 12-25).

17. **Claims 71-72 and 77-78** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Schultz.

Regarding **claim 71**, Baker discloses a web server system comprising:

a grammar (words, phonemes or other speech units), the grammar including an associated link to more information about the grammar (column 8, lines 19-28), and

an utterance classification associated with the grammar (utterance based on subject matter; column 7, lines 27-41) including:

an in-grammar portion (based on subject matter) defining utterances included in the associated grammar, the in-grammar portion including an associated link to more information about the in-grammar portion (column 7, lines 27-41), and

an out-of-grammar portion (different medical discipline) defining utterances outside the associated grammar, the out-of-grammar portion including an associated link to more information about the out-of-grammar portion (column 7, lines 27-41), but lacks a central processing unit, a memory unit and a network interface.

Schultz discloses a system for performing texts edits comprising:

a central processing unit (figure 1, element 22);

a memory unit (figure 1, element 26); and

a network interface for sending a message (figure 1, element 34), to obtain an editing system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker's system wherein it discloses a central processing unit, a memory unit and a network interface, to obtain an editing system, to aid the transcriptionist in identifying and fixing errors (column 5, lines 63-67).

Regarding **claim 72**, Baker discloses a server system wherein the links to more information cause the display screen to display additional information about the associated portions (column 4, lines 55-65).

Regarding **claim 77**, Baker discloses a server system wherein the link to more information about the in-grammar portion (corresponding text) causes the display screen to display more detailed information about the in-grammar portion (column 4, lines 55-65).

Regarding **claim 78**, Baker discloses a server system wherein the more detailed information includes links to further detailed information about the in-grammar portion (column 7, lines 27-41).

18. **Claims 73-76** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Komissarchik, as applied to claim 70 above, in further view of Baker.

Regarding **claim 73**, Schultz in view of Komissarchik discloses a server system, but lacks wherein the additional information is more detailed information about the associated portion.

Baker discloses a speech recognition system (speech recognizer) wherein the additional information is more detailed information about the associated portion (correspondence with column 7, lines 27-41), to obtain optimization based on subject matter.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz in combination with Komissarchik system wherein the additional information is more detailed information about the

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associated portion, to provide optimization based on subject matter (column 7, lines 27-41) of different disciplines, which categorizes utterances typically used.

Regarding **claim 74**, Schultz in view of Komissarchik discloses a server system, but lacks wherein the more detailed information includes associated links to further detailed information about the associated portion.

Baker discloses a speech recognition system wherein the more detailed information includes associated links to further detailed information about the associated portion (correspondence with column 7, lines 27-41), to obtain optimization based on subject matter.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz in combination with Komissarchik system wherein the more detailed information includes associated links to further detailed information about the associated portion, to provide optimization based on subject matter (column 7, lines 27-41) of different disciplines, which categorizes utterances typically used.

Regarding **claim 75**, Schultz in view of Komissarchik discloses a server system, but lacks wherein the further detailed information is support data.

Baker discloses a speech recognition system wherein the further detailed information is support data (based on subject matter; column 7, lines 27-41), to obtain optimization based on subject matter.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz in combination with Komissarchik system wherein the further detailed information is support data, to provide optimization based on subject matter (column 7, lines 27-41) of different disciplines, which categorizes utterances typically used.

Regarding **claim 76**, Schultz in view of Komissarchik discloses a server system, but lacks wherein the further detailed information is one or more audio files.

Baker discloses a speech recognition system wherein the further detailed information is one or more audio files (utterances or voice commands; column 7, lines 27-41), to verbally correct changes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz in combination with Komissarchik system wherein the further detailed information is one or more audio files, to correct any errors that may have occurred by voice commands (column 7, line 50 – column 8, line 3).

19. **Claims 79-81** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Schultz, as applied to claim 71 above, in further view of Bielby et al. (U.S. Patent No. 5,644,680), hereinafter referenced as Bielby.

Regarding **claim 79**, Baker in view of Schulz disclose a server system, but lacks wherein the display screen further displaying an in-grammar performance associated

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with the grammar including a correctly accepted portion, a falsely accepted portion and a falsely rejected portion.

Bielby discloses an information automated system wherein the display screen further displaying an in-grammar performance associated with the grammar including:

a correctly accepted portion (CA) defining utterances correctly accepted by a speech recognizer, the correctly accepted portion including a link to more information about the correctly accepted portion (column 16, lines 14-17 and lines 28-55);

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 17, lines 6-16); and

a falsely rejected portion (FR) defining utterances incorrectly rejected by the speech recognizer, the falsely rejected portion including a link to more information about the falsely rejected portion (column 16, lines 14-17 with column 6, line 63 – column 17, line 2), to obtain the best locality name candidate that corresponds to the record.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system wherein the display screen further displaying an in-grammar performance associated with the grammar including a correctly accepted portion, a falsely accepted portion and a falsely rejected portion, to obtain the best locality name candidate that corresponds to the record, to correctly determine that the spoken response corresponds to the locality name (column 16, lines 56-61).

Regarding **claim 80**, Baker in view of Schulz disclose a server system, but lacks wherein the display screen further displaying an out-of-grammar performance associated with the grammar including a correctly rejected and falsely accepted portion.

Bielby discloses an information automated system wherein the display screen further displaying an out-of-grammar performance associated with the grammar including:

a correctly rejected portion (CR) defining utterances correctly rejected by a speech recognizer, the correctly rejected portion including a link to more information about the correctly rejected portion (column 16, lines 14-17 with lines 50-55); and

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 17, lines 6-16), to obtain the best locality name candidate that corresponds to the record.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system wherein the display screen further displaying an out-of-grammar performance associated with the grammar including a correctly rejected and falsely accepted portion, to obtain the best locality name candidate that corresponds to the record, to correctly determine that the spoken response corresponds to the locality name (column 16, lines 56-61).

Regarding **claim 81**, Baker in view of Schulz disclose a server system, but lacks displaying an overall performance associated with the grammar including a correctly rejected and falsely accepted portion.

Bielby discloses an information automated system displaying an overall performance associated with the grammar including:

a correctly rejected portion (CR) defining utterances correctly rejected by a speech recognizer, the correctly rejected portion including a link to more information about the correctly rejected portion (column 16, lines 14-17 with lines 50-55); and

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 17, lines 6-16), to obtain he best locality name candidate that corresponds to the record.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system wherein it displays an overall performance associated with the grammar including a correctly rejected and falsely accepted portion, to obtain he best locality name candidate that corresponds to the record, to correctly determine that the spoken response corresponds to the locality name (column 16, lines 56-61).

20. **Claims 79-81** are *alternately* rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Schultz, as applied to claim 71 above, in further view of Dudemaine.

Regarding **claim 79**, Baker in view of Schulz disclose a server system, but lacks wherein the display screen further displaying an in-grammar performance associated with the grammar including a correctly accepted portion, a falsely accepted portion and a falsely rejected portion.

Dudemaine discloses an audio recognition system wherein the display screen further displaying an in-grammar performance associated with the grammar including:

a correctly accepted portion (CA) defining utterances correctly accepted by a speech recognizer, the correctly accepted portion including a link to more information about the correctly accepted portion (column 1, lines 34-41);

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 1, lines 43-45); and

a falsely rejected portion (FR) defining utterances incorrectly rejected by the speech recognizer, the falsely rejected portion including a link to more information about the falsely rejected portion (column 1, lines 48-54), to determine the closest match.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system

wherein the display screen further displaying an in-grammar performance associated with the grammar including a correctly accepted portion, a falsely accepted portion and a falsely rejected portion, to detect when the recognition result is correct/incorrect (column 1, lines 23-32).

Regarding **claim 80**, Baker in view of Schulz disclose a server system, but lacks wherein the display screen further displaying an out-of-grammar performance associated with the grammar including a correctly rejected and falsely accepted portion.

Dudemaine discloses an audio recognition system wherein the display screen further displaying an out-of-grammar performance associated with the grammar including:

a correctly rejected portion (CR) defining utterances correctly rejected by a speech recognizer, the correctly rejected portion including a link to more information about the correctly rejected portion (column 1, lines 46-47); and

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 1, lines 43-45), to determine the closest match.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system wherein the display screen further displaying an out-of-grammar performance associated with the grammar including a correctly rejected and falsely accepted

portion, to detect when the recognition result is correct/incorrect (column 1, lines 23-32).

Regarding **claim 81**, Baker in view of Schulz disclose a server system, but lacks displaying an overall performance associated with the grammar including a correctly rejected and falsely accepted portion.

Dudemaine discloses an audio recognition system displaying an overall performance associated with the grammar including:

a correctly rejected portion (CR) defining utterances correctly rejected by a speech recognizer, the correctly rejected portion including a link to more information about the correctly rejected portion (column 1, lines 46-47); and

a falsely accepted portion (FA) defining utterances incorrectly accepted by the speech recognizer, the falsely accepted portion including a link to more information about the falsely accepted portion (column 1, lines 43-45), to determine the closest match.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Schulz's system wherein it displays an overall performance associated with the grammar including a correctly rejected and falsely accepted portion, to detect when the recognition result is correct/incorrect (column 1, lines 23-32).

21. **Claims 14 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Zebryk (U.S. Patent No. 5,828,730), hereinafter referenced as Zebryk, in further view of Ahmad et al. (U.S. Patent No. 6,172,675), herinafter referenced as Ahmad.

Regarding **claims 14 and 23**, Baker discloses a web-based transcription system, comprising:

- an utterance (column 7, lines 27-31);

- a grammar-in-use during the utterance (subject matter; column 7, lines 27-31),

and

- a recognized result of a speech recognizer from the utterance (recognizing utterance; column 7, lines 28-41);

- an access system for accessing the set of tuples (column 12, lines 18-31),

- a transcription portion for transcribing the utterance associated with each tuple in the subset of tuples (column 12, lines 18-31); and

- an extension system for extending each tuple in the subset of tuples (column 8, lines 19-28) to include the transcribed utterance (column 6, lines 8-11), but lacks the access system including a sign-in portion and a persistent label portion.

Zebryk discloses an access system including:

- a sign-in portion for identifying a transcriptionist and for identifying a subset of the set of tuples (column 10, lines 5-14 and lines 57-61 with job number assigned to

server; column 13, lines 21-23), for tracking the job and updating the status of each job.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bakers's system such that it includes a sign-in portion and a persistent label portion, which assigns the job number to the server for tracking the job and updating the status of each job (column 13, lines 21-23).

Baker in view of Zebryk discloses a web-based transcription system, system but lacks wherein the system discloses a persistent label portion.

Ahmad discloses a system wherein it includes a persistent label portion for identifying labels consistent across each related portion of the subset of tuples (labeled with the word that the subnetwork represents; column 15, lines 25-30), to enable recognition of a word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in combination with Zebryk's system wherein it includes a persistent label portion, to recognize a continuous stream of speech, which enables word recognition (column 15, lines 25-36).

22. **Claims 15-16 and 24-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Zebryk, in further view of Ahmad, as applied to claim 14, in further view of Lee et al. (U.S. Publication No. 202/0116174), hereinafter referenced as Lee.

Regarding **claims 15 and 24**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further including a noise events portion.

Lee discloses a natural language system including a noise events portion for adding transcription labels to the transcribed utterance defining types of the utterance (ignore, stop, etc.; column 5, paragraphs 0052-0053), to display words that do not represent an articulate utterance.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system wherein it includes a noise events portion, to filter out words that do not represent an articulate utterance, allowing pertinent extraction of words (column 5, paragraphs 0052-0053).

Regarding **claims 16 and 25**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further including an anomalies portion.

Lee discloses a natural language system including an anomalies portion for adding transcription labels to the transcribed utterance defining qualities of the utterance (ignore, stop etc.; column 5, paragraphs 0052-0052), to display words that do not represent an articulate utterance.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with

Ahmad's system wherein it includes an anomalies portion, to filter out words that do not represent an articulate utterance, allowing pertinent extraction of words (column 5, paragraphs 0052-0053).

23. **Claims 17-18 and 26-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Zebryk, in further view of Ahmad, as applied to claim 14, in further view of Schultz.

Regarding **claim 17 and 26**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further including an audio tool for playing the utterance.

Schultz discloses a system for performing edits including an audio tool for playing the utterance (playback; column 4, lines 62-65), to listen to the dictation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system to include an audio tool for playing the utterance, to aid the transcriptionist in identifying and fixing errors in the displayed text, so that the transcriptionist can listen to the original dictation and determine whether errors are present while following the text on the monitor (column 5, lines 63-67).

Regarding **claims 18 and 27**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further including keyboard shortcuts for identifying labels.

Schultz discloses a system for performing edits including keyboard shortcuts for identifying labels (one keystroke to perform numerous keystrokes; column 5, lines 44-50 and column 7, lines 19-21), to have shorthand for a longer sequence of keystrokes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system to include keyboard shortcuts, to have shorthand for a longer sequence of keystrokes, which makes editing easier (column 7, lines 12-32).

24. **Claims 19-20 and 28-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Zebryk, in further view of Ahmad, as applied to claim 14, in further view of Waibel.

Regarding **claims 19 and 28**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further comprising an auto-complete function for automatically completing a portion of the transcribed utterance.

Waibel disclose a transcription system comprising an auto-complete function for automatically completing a portion of the transcribed utterance (automatic subpiece; column 13, lines 55-60), to repair the errorful subpiece.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system to comprise an auto-complete function for automatically completing a

portion of the transcribed utterance, to repair the errorful subpiece, to guarantee that the correct substring is produced (column 13, lines 50-60).

Regarding **claims 20 and 29**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks further comprising a commonly transcribed utterance list including commonly transcribed utterances beginning with the portion of the transcribed utterance.

Waibel disclose a transcription system comprising a commonly transcribed utterance list including commonly transcribed utterances beginning with the portion of the transcribed utterance (n-best list or lattice; column 7, lines 44-55 with column 13, lines 55-60), to guarantee that the correct substring is produced.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system to include commonly transcribed utterances beginning with the portion of the transcribed utterance, to obtain wordpair language models, to guarantee that the correct substring is produced (column 13, lines 50-60).

25. **Claims 21-22 and 30-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Zebryk, in further view of Ahmad, as applied to claim 14, in further view of Komissarchik.

Regarding **claims 21 and 30**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks including an information portion for accessing additional information on a portion of the access system.

Komissarchik discloses a language independent tutoring system including an information portion for accessing additional information on a portion of the access system (column 7, lines 37-41), to obtain a detailed explanation of the curriculum.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system such that it includes an information portion for accessing additional information on a portion of the access system, to obtain a detailed explanation of the curriculum, to access addition information (column 7, lines 29-41).

Regarding **claims 22 and 31**, Baker in view of Zebryk, in further view of Ahmad discloses a web-based transcription system, but lacks wherein the information portion is a help portion and the additional information is help information.

Komissarchik discloses a language independent tutoring system including an information portion is a help portion and the additional information is help information (column 7, lines 37-41), to obtain a detailed explanation of the curriculum.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker in view of Zebryk in combination with Ahmad's system to include help information, to obtain a detailed explanation of the curriculum, to access addition information (column 7, lines 29-41).

26. **Claims 32-36, 37-41 and 42-46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Lee.

Regarding **claims 32, 37 and 42**, Baker discloses a method and system of drill-down reporting using a web-based system, the method comprising:

- an utterance (column 7, lines 27-31),
- a grammar-in-use during the utterance (subject matter; column 7, lines 28-41),
- a recognized result of a speech recognizer from the utterance (recognizing utterances; column 7, lines 28-41), and
- a transcribed utterance (column 6, lines 44-48);

providing analysis of the set of tuples in a first standard form of reporting (column 7, lines 27-41), the first standard form of reporting including internal linking to a first set of support data associated with the set of tuples (column 8, lines 19-28), but lacks defining a first filter criteria and accessing a set of one or more stored utterance tuples meeting the first filter criteria.

Lee discloses a natural language system each tuple including:

- defining a first filter criteria (column 5, paragraph 0052);
- accessing a set of one or more stored utterance tuples (bigram) meeting the first filter criteria (column 5, paragraphs 0052-0053), to extract the root form of each word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker's system to define a first filter criteria and

accessing a set of one or more stored utterance tuples meeting the first filter criteria, to fill out words that are irrelevant (column 5, paragraphs 0052-0053).

Regarding **claims 33, 38 and 43**, Baker discloses a method and system wherein the set of tuples is aggregated from a larger group of tuples (column 8, lines 19-28).

Regarding **claims 34, 39 and 44**, Baker discloses a method and system of drill-down reporting using a web-based system, but lacks wherein the first filter criteria are defined from user constructed queries.

Lee discloses a natural language system wherein the first filter criteria are defined from user constructed queries (training created by calls; column 5, paragraphs 0052-0053), to extract the root form of each word.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baker's system wherein the first filter criteria are defined from user constructed queries, to fill out words that are irrelevant (column 5, paragraphs 0052-0053).

Regarding **claims 35, 40 and 45**, Baker discloses a method and system further comprising tuning of the grammar-in-use (subject matter; column 7, lines 27-41) in response to the analysis of the set of tuples (column 8, lines 19-28).

Regarding **claims 36, 41 and 46**, Baker discloses a method and system further comprising tuning of a pronunciation of the grammar-in-use (re-pronouncing) in response to the analysis of the set of tuples (column 7, lines 50-56 with column 8, lines 19-28).

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27. **Claim 63** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of Zebryk.

Regarding **claim 63**, Schultz discloses a web server system, but lacks wherein the quality is a touchtone noise.

Zebryk discloses a transcription communication system wherein the quality is a touchtone noise (column 5, lines 9-15), to allow recording to be reviewed and edited.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz's system wherein the quality is a touchtone noise, to allow recording to be reviewed and edited, by receiving a prompt to begin (column 5, lines 9-15 with column 6, lines 24-36).

28. **Claims 61 and 64** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz in view of well known prior art.

Regarding **claim 61**, Schultz discloses a web server system, but does not specifically teach the system wherein the quality is breath noise.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the system teaches that the quality is breathe noise, so that the system recognizes the different noise and ignore the noise which does not represent an articulate utterance, to allow the correct extraction of the words, as taught by Lee (column 5, paragraphs 0052-0053).

Regarding **claim 64**, Baker discloses a web server system, but does not specifically teach the system wherein the quality is a hang up noise.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the system teaches that the quality is hang up noise, so that the system recognizes the different noise and ignore the noise which does not represent an articulate utterance, to allow the correct extraction of the words, as taught by Lee (column 5, paragraphs 0052-0053).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Arai et al. (U.S. Patent No. 6,173,261) discloses grammar fragment acquisition using syntactic and semantic clustering.
- Sabourin (U.S. Patent No. 6,108,627) discloses an automatic transcription tool.
- Gong (U.S. Patent No. 6,418,411) discloses a method and system for adaptive speech recognition in a noisy environment.
- Kanevsky et al. (U.S. Patent No. 6,009,392) discloses training speech recognition.
- Zebryk et al. (U.S. Patent No. 6,549,614) discloses a method and apparatus for recording and managing communications for transcription.
- Mohri et al. (U.S. Patent No. 6,243,679) discloses systems and methods for determinization and minimization a finite state transducer for speech recognition.


- Navratil et al. (U.S. Patent No. 6,738,745) discloses methods and apparatus identifying a non-target language in a speech recognition system.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 703.305.5593. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ
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